



Attorney Docket: 01376CIP/HG

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicants : Masakatsu KANEKO et al.

Serial No. : 09/925,673

Filed : August 9, 2001

For : NOVEL NUCLEOSIDE  
AND OLIGONUCLEOTIDE  
ANALOGUES

Art Unit : 1623

Examiner : Howard V. Owens, Jr.

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, D.C. 20231

S I R :

This is a response to the Office Action of March 26, 2003  
(Paper No. 9), which is a Restriction Requirement under  
35 USC 121. The term for responding to the Office Action ends on  
April 26, 2003, which is a Saturday, therefore ending on Monday,  
April 28, 2003.

**R E M A R K S**

The Examiner is respectfully requested to acknowledge  
applicants' claim for priority under 35 USC 119 and receipt of  
the certified copy of the priority document which was filed on  
August 9, 2001.

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**CERTIFICATE OF MAILING**

I hereby certify this  
correspondence is being  
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States Postal Service with  
sufficient postage as First  
Class mail in an envelope  
addressed to:

Commissioner for Patents,  
Washington, D.C. 20231 on the  
date noted below.

Attorney: Richard S. Barth

Dated: APRIL 28, 2003

In the event that this Paper  
is late filed, and the  
necessary petition for  
extension of time is not filed  
concurrently herewith, please  
consider this as a Petition  
for the requisite extension of  
time, and to the extent not  
tendered by check attached  
hereto, authorization to  
charge the extension fee,  
or any other fee required  
in connection with this  
Paper, to Account No. 06-1378.

The Examiner is also respectfully requested to return a copy of the Forms PTO/SB/08A filed on October 31, 2001; Forms PTO/SB/08B filed on November 7, 2001; Form PTO/SB/08 filed on December 3, 2001; Form PTO/SB/08B filed on March 31, 2003 and Form PTO/SB/08A filed on March 11, 2002 and to indicate thereon that the cited publications were considered and made of record.

Restriction was required under 35 USC 121 as follows:

Group I. Claim 1-77, drawn to nucleoside compounds/ compositions and oligonucleotides thereof, and

Group II. Claims 78-102, drawn to a probe/primer and antisense method.

Applicants elect Group I (claims 1 to 77).

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

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Respectfully submitted,



Richard S. Barth  
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